



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

VIA FACSIMILE AND MAIL

July 13, 1994

Al Haring, Chief
U.S. Department of the Navy
Environmental Restoration Branch
Northern Division
Naval Facilities Engineering Command
10 Industrial Highway
Code 1823, Mail Stop 82
Lester, PA 19113-2090

RE: Assessment of Stipulated Penalties for Non-Compliance with
the Federal Facility Agreement for the Naval Education and
Training Center (NETC) - Newport, Rhode Island

Dear Mr. Haring:

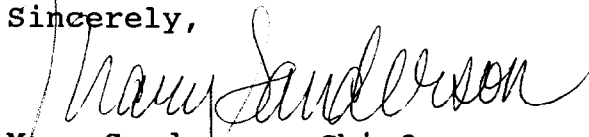
This letter is a preliminary response to your letter of June 27, 1994, which responded to EPA's letter of June 3, 1994 which assessed stipulated penalties for failure to submit a complete draft Phase II RI report. EPA is disappointed in the Navy's response and a complete reply to your letter will be sent to you during the week of July 18, 1994. However EPA wanted to respond promptly to the Navy's request to extend the informal dispute resolution period beyond July 1, 1994 and for a rescission or abeyance of the assessment of stipulated penalties.

With respect to your request to extend the informal dispute resolution period, EPA agrees to extend the period of informal dispute until Monday, August 1, 1994. EPA is not willing to rescind, but is willing to hold in abeyance its assessment of stipulated penalties during the period of informal dispute resolution. However, I believe that a sincere offer to settle the assessed stipulated penalties would promote a more cooperative relationship between all parties involved at NETC-Newport by allowing all of us to bring this issue to closure.



If there are any questions regarding this matter, please feel free to contact either Andrew Miniuks at 617/573-9614 or me at 617/573-5711.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Sanderson".

Mary Sanderson, Chief
Federal Facilities Superfund Section

cc: Andrew Miniuks, EPA
Beth Tomasello, EPA-ORC
Susan Svirsky, EPA
Kristen Fadden, EPA
David Webster, EPA
Bill Frank, OFFE
Ken Finkelstein, NOAA
Warren Angell II, RIDEM/DSR
Paul Kulpa, RIDEM/DSR